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14 **UNITED STATES DISTRICT COURT**
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 AMERICAN FEDERATION OF
18 GOVERNMENT EMPLOYEES, *et al.*

19 Plaintiffs,

20 v.

21 UNITED STATES OFFICE OF PERSONNEL
22 MANAGEMENT, *et al.*,

23 Defendants.

Case No. 3:25-cv-1780-WHA

DECLARATION OF TIMOTHY D. DILL
IN SUPPORT OF DEFENDANTS'
MARCH 20, 2025 FILING

1 I, Timothy D. Dill, declare, pursuant to 28 U.S.C. § 1746, as follows:

2 1. I am currently the official performing the duties of the Assistant Secretary of
3 Defense for Manpower and Reserve Affairs of the Department of Defense ("Department"),
4 headquartered in Washington, D.C. I have served in this position since January 22, 2025. The
5 information below is based on my personal knowledge and information I have received in my
6 role at the Department.

7 2. In my role at the Department, I am responsible for personnel policy for the
8 Department of Defense's civilian workforce. That responsibility includes tracking and recording
9 personnel actions, including terminations. I am responsible for ensuring that all personnel
10 actions, including those related to probationary employees, comply with federal law.

11 3. I am aware of the preliminary injunction issued in this case on March 13, 2025,
12 requiring the Department to offer reinstatement to all probationary employees terminated on or
13 about February 13 and 14, 2025.

14 4. Following a review of individual employee records, Department records indicated
15 that no probationary employees were separated or notified of termination, in light of recent OPM
16 guidance. The Department subsequently engaged in a more expansive review that identified 178
17 employees separated or notified of termination on different dates in light of recent OPM
18 guidance. However, further review has revealed that of the 178 employees, two National Guard
19 employees were erroneously included in that number.

20 5. In addition, after our prior submission to the court, the Uniformed Services
21 University of the Health Sciences informed the Department that it had separated, or notified of
22 termination, 40 probationary employees since February 13, 2025. In total, Department records
23 indicate that since February 13, 2025, the Department separated, or notified of termination, 216
24 probationary employees in light of recent OPM guidance. The Department has prepared a by-
25 name list of these employees.

26 6. The Department has directed DoD Military Departments and other DoD
27 Components to notify these employees that the court found their termination notices to be
28 unlawful, to offer reinstatement to former employees who received such notices, to rescind the

1 termination of current employees who received such notices, and to return all employees who
2 have not voluntarily resigned to duty. The Department anticipates that these actions will be
3 completed by the end of this week.

4
5 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
6 and correct to the best of my knowledge.

7 Dated: March 31, 2025

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10 Timothy D. Dill
11 Performing the Duties of the
12 Assistant Secretary of Defense for
13 Manpower and Reserve Affairs
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